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501056.20502 (23807.82)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Uri ROSENSCHEIN et al.

Group: 3737

Serial No.: 09/653,801

Examiner: R. SMITH

Filing Date: September 1, 2000

For: **PULSE MODE LYSIS METHOD**

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OFFICE OF PETITIONS

**TERMINAL DISCLAIMER**

Your petitioner, Lipolysis, Inc., a Delaware corporation located at 6520 Edenvale Boulevard, Suite 230, Eden Prairie, MN 55436, represents that it is the owner of 100% interest in and to the above-identified application, and hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, of U.S. Patent No. 6,113,558, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,113,558, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

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In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: July 30, 2002

By:

Mark C. Maciejewski  
President

Lipolysis, Inc.  
